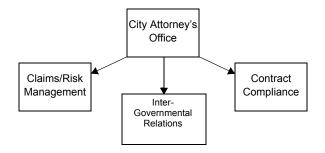
operating budget

Category	FY 2005 Actual	FY 2006 Forecast	FY 2006 Budget	FY 2007 Projected
Personal services	3,258,974	3,224,335	3,622,085	3,636,809
Materials & supplies	12,345,105	15,384,907	7,900,750	15,994,747
Capital outlay	195	0	0	0
Gross Expenditure	15,604,274	18,609,242	11,522,835	19,631,556
Expense Recoveries	(4,424,130)	(8,104,000)	(5,604,000)	(3,395,340)
Total Expenditures	11,180,144	10,505,242	5,918,835	16,236,216
Charges for Services	(635,880)	(715,547)	0	0
Net Expenditures	10,544,264	9,789,695	5,918,835	16,236,216
Funded Staffing Level	50.54	46.08	54.00	52.00

mission

To provide advice, opinions, claims service, contract compliance support and legal representation on behalf of the City of Memphis administration, City Council, various divisions, agencies, boards, commissions and employees of the City of Memphis government.

structure



services

The City Attorney's Office defends the City in all litigations filed in State and Federal Courts and before the Civil Service Commission. It provides oversight of municipal processes to assure compliance with the City Charter, State and Federal laws. Legal research, opinions and advice are provided to all divisions of the City government regarding ordinances, resolutions, agreements, contracts and other legal documents. The Claims Office processes third-party claims filed against the City of Memphis. Risk Management is a formal management process that helps ensure the financial stability and safe operation of the City's assets. Drug Testing ensures that the City of Memphis complies with laws relating to a "Drug Free Workplace". The On-the-job Injury staff manages the City's OJI program. Safety staff ensures compliance with local, state and federal Safety and Health Standards. The Office of Contract Compliance provides information and assistance to Minority & Women Business Enterprises to increase their ability to compete effectively for City contracts and monitors M/WBE participation goals.

issues & trends

The City Attorney's Office continues to monitor changes to the Government Tort Liability Act as well as the changing political climate in State and Federal government. As the City of Memphis continues to diversify racially, potential studies are being evaluated to expand the M/WBE program. The City Attorney's Office seeks to increase public awareness of large court verdicts which are causing higher claim dollar demands and Catastrophic property losses settlements. and potential earthquake exposure have caused an increase in property claims and insurance coverage of 30 percent. The Office has dramatically increased its presence and communications within the various divisions concerning issues ranging from the City's On-The-Job-Injury Program proactive approaches to lessen employee injury and employment litigation.

budget highlights

- Increase our current service levels and incorporate the City's Drug Testing Program into our Division without expanding the Law Division's budget
- Reduced liability claims settlements cost by 32%
- Insurance premiums were maintained at the prior FY's cost
- Recovered \$340,931 in subrogation
- Re-negotiated the City's federal lobbying contracts for a saving of more than \$100,000 per year

strategic goals

- 30-day resolution on applicable claims
- 30-day response time to all Title VI matters
- 14 day compensability of all OJI Claims
- Increase subrogation recoveries
- Minimize the City's liability claim settlements
- Increase the amount of City of Memphis dollars being spent with M/WBE's
- Increase the number of M/WBE's certified to do business with the City of Memphis
- Increase the City's presence with elected officials in Nashville and Washington
- Increase Attorney proactive presence with Divisions
- Increase in-house lawyer specialization to reduce reliance on outside contract counsel
- Review, revise and present seminar on City's Public Procurement Policies and Practices
- Present Regional Seminar on Municipal Liability and Defense in Section 1983 Civil Rights Cases

demand measures

Number of lawsuits filed agains the City	221
Number of claims filed against the City	778
Average number of daily case dockets for all three divisions	1800
Number of OJI claims filed against the City	1658
Total monetary subrogation recovery	\$340,931
Total Formal/Informal opinion	36
Contracts Drafted/Reviewed	1,500
Total Number of Open Record requests	400

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fy 2006 performance highlights

- Maintained a Litigation Tracking System which allows for comprehensive data analysis, case tracking, claims processing, financial analysis and reporting
- Actual trials account for approximately 20 percent of case cited. Of that number about 5 percent are appealed to Circuit Court
- Prosecutors personally negotiate approximately 40 percent of citations
- Increased subrogation recovery
- Revised and update insurance requirement manual tailored to the requirements of all contracted jobs
- Maintained the average time for response to opinionrequests/ordinancedraftingto 7-10 days
- Reduced the amount of time to investigate and resolve claims to 28 days
- FY 2005 resulted in approximately 26% of available City of Memphis dollars being spent with M/WBE's and for FY 2006, we anticipate 26% of City of Memphis dollars being spent with M/WBE's
- The number of M/WBE's certified to do business with the City of Memphis decreased to 400 for FY 2005. In conjunction with MMBC, the City of Memphis expects a slight 420 in the number of M/WBE's for FY 2006
- Office of Contract Compliance continued its public relations campaign to recruit additional M/WBEs by promoting various opportunities on radio shows, churches, and hosting monthly community breakfasts
- Expanded the City's Renewal Community designation by adding 20 census tracts to the original 48 designated tracts, allowing business in those additional tracts to claim tax incentives retroactive to 2002. Allocation of \$12 million in Commercial Revitalization Deductions for economic development efforts
- Secured \$34.8 million in federal appropriations
- Incorporated Police Drug Testing with the existing Drug Testing Program
- Hosted the City of Memphis' first Annual Safety Fair
- Facilitated Quarterly "Safety in the City" training for City of Memphis employees

charges for services

FY 2005 Actual	FY 2006 Forecast	FY 2006 Budget	FY 2007 Projected
(635,880)	(715,547)	0	0
(635,880)	(715,547)	0	0
	Actual (635,880)	Actual Forecast (635,880) (715,547)	Actual Forecast Budget (635,880) (715,547) 0

The Office of the City Attorney is committed to providing advice, opinions, claims service, contract compliance support and legal representation on behalf of the City of Memphis Administration, City Council, various divisions, agencies, boards, commissions and employees of the City of Memphis government.

Operating Budget

	FY 2005	FY 2006	FY 2006	FY 2007
Category	Actual	Forecast	Budget	Projected
Personal services	2,311,298	2,234,437	2,484,425	2,616,054
Materials & supplies	8,045,897	5,537,622	1,882,500	2,459,900
Capital outlay	195	0	0	0
Gross Expenditure	10,357,390	7,772,059	4,366,925	5,075,954
Expense Recoveries	(1,277,560)	(2,500,000)	0	0
Net Expenditures	9,079,830	5,272,059	4,366,925	5,075,954
Funded Staffing Level	36.12	29.58	35.00	35.00

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Improve and enhance professional relationships between City Attorney's Office and each Division of City Government	To submit article from Law Division to City Pride Newsletter	Number of articles submitted annually	0	4	1
		Annual client survey date	April 2005	April 2006	April 2007
	To maintain the average time for opinion request/ ordinance drafting to 7-10 days	Average response rate (days)	7	7	7
	To establish a well- indexed and organized pleadings bank by June 30, 2006	Index completion date	June 2005	June 2006	June 2007
Establish a program to identify legal issues or omissions in the City contracting process and to implement improvements	To review and identify the negotiated contract processes used in various divisions of City government	Report date	Not Measured	January 2006	July 2006

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
	To complete re- codification/legal review of City Charter and Code and installation on-line by June 2006	System implementation date	Not Measured	June 2006	Not Applicable
	To complete comprehensive template of form contracts in Oracle for use by various Divisions	Contracts Completed	Not Measured	Not Measured	100%
	To establish and maintain an Intranet- version of the City's Risk Management Manual	Manual on-line	Not Measured	Not Measured	100%
Develop and monitor annual budget for Law Division	To monitor the division appropriation statements monthly	Percent of approved budget expended	Not Measured	100%	100%

The Claims Service Center works to provide an efficient and professional level of claims service on behalf of the City of Memphis.

Operating Budget

Category	FY 2005 Actual	FY 2006 Forecast	FY 2006 Budget	FY 2007 Projected
Personal services	563,017	649,568	719,717	624,747
Materials & supplies	1,074,419	2,747,233	2,721,000	6,791,297
Gross Expenditure	1,637,436	3,396,801	3,440,717	7,416,044
Expense Recoveries	(1,030,947)	(2,584,000)	(2,584,000)	(375,340)
Net Expenditures	606,489	812,801	856,717	7,040,704
Funded Staffing Level	8.00	11.83	13.00	11.00

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Minimize the amount of time to investigate and resolve a claim	To maintain the average time for claims investigation and processing to 30 days or less	Number of days processing claims from activity report	Not Measured	30	30
Maximize public service efforts	To respond to inquires from the public regarding their claim status within 24 hours	Percent of files reviewed	Not Measured	90%	95%
Maximize subrogation recoveries	To increase last year's subrogation recoveries by 10%	Number of monthly and year end subrogation reports	306,292	340,937	370,000
		Percent increase compared to last year	Not Measured	Benchmark	10%
Minimize the City's liability claim settlements	To reduce the liability claim settlements by 10%	Percent reduction in claim settlements compared to last year	10%	10%	10%

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Minimize the City's OJI Claim cost	To reduce the cost of OJI Claims by 10%	Percent reduction on OJI claims compared to last year	Not Measured	Benchmark	10%
Provide quarterly Safety Training to all Divisions	To reduce the number of OJI and Liability Claims by 10%	Percent reduction in claims	Not Measured	Benchmark	10%
Identify repetitive OJI and 3rd Party Claims	To provide a recommendation for corrective actions for reducing accidents	Quarterly Claims Report	Not Measured	4	12
Maintain a Drug Free workplace for all City employees	To provide a safe work environment for all City employees by reducing accident and incidents by 10%	Percent reduction in accidents/ incidents compared to last year	Not Measured	Benchmark	10%
Provide Divisions with suggested accident prevention measures and Safety Programs	To provide a safe environment for all employees and the public	Number of site visits made by Safety, Drug Testing, and OJI staff	Not Measured	Benchmark	12

The Office of Contract Compliance serves as the support agency and administrative arm to the Minority and Women Business Enterprise Participation Program. The purpose of the agency is to ensure that the legislative intent of the City's Ordinance 4288 et. Seq., which created the M/WBE program, is carried out in all procurement activities and opportunities. This office will serve as a catalyst through which Minority and Women Business Enterprises can fully participate in the economic expansion of the Memphis business community. This office will facilitate participation of public and private sector business entities in local M/WBE development through direct/indirect procurement opportunities.

Operating Budget

	FY 2005	FY 2006	FY 2006	FY 2007
Category	Actual	Forecast	Budget	Projected
Personal services	138,702	126,485	149,279	126,485
Materials & supplies	68,558	428,751	40,750	42,350
Net Expenditures	207,260	555,236	190,029	168,835
Funded Staffing Level	2.44	1.67	2.00	2.00

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Facilitate and encourage more public sector utilization of Minority/ Women Business Entity (M/WBE)	To coordinate and disseminate information on minority and women business entities to all City divisions	Date information disseminated to Division Directors	January 2006	January 2007	January 2008
	To increase the amount of public dollars spent with M/WBE	Percent of contracts over \$50K awarded to M/WBE	26%	30%	32%
Educate and inform City employees and City residents of Title VI rights & remedies	To educate City of Memphis employees and City residents of Title VI rights and remedies	Number of Town Hall Meetings attended	2	2	2
		Number of City Pride articles published	2	2	2
Sponsor, promote, and participate in seminars designed to assist M/WBE	To assist M/WBE in economic development by active participation in various seminars and programs	Number of participants in seminars and programs	425	450	500

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Increase the number of certified M/WBE available to do business with the City	To work closely with the Uniform Certification Agency (UCA) to increase the number of certified M/WBE	Number of certified M/WBE supplied by UCA	440	400	420
Establish and monitor Memorandums of Understanding (MOU)	To establish and monitor MOUs with advocacy groups including Chamber of Commerce, Minority Business Council, Leadership Memphis, Diversity Institute, Black Business Association and the Small Business Administration	Date MOUs established	As needed	As needed	As needed

The Office of Intergovernmental Affairs coordinates the City's legislative efforts in Washington and Nashville and identifies Federal and State legislation that impact the City. This office is also responsible for researching and identifying Federal, State and private grant opportunities and assists with the preparation of grant applications from all City divisions.

Operating Budget

	FY 2005	FY 2006	FY 2006	FY 2007
Category	Actual	Forecast	Budget	Projected
Personal services	129,842	99,742	154,581	154,582
Materials & supplies	103,878	157,659	141,100	141,100
Net Expenditures	233,720	257,401	295,681	295,682
Funded Staffing Level	2.14	1.00	2.00	2.00

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Coordinate the City's legislative efforts with the Federal Government	To work with each City division to develop a Federal Legislative Agenda for the City of Memphis annually	Date Federal Legislative Agenda completed	February 2005	February 2006	February 2007
	To present and actively promote the Federal Legislative Agenda to members of the U.S. House of Representatives and U.S. Senate	Date agenda completed	March 2005	March 2006	March 2007
	To provide regular communications to Division Directors regarding Federal issues/ bills of concern	Number of monthly communication s to Directors	4	As needed basis	As needed basis
	To coordinate bi-weekly conference calls with Federal lobbyists during the fiscal year	Number of bi- weekly conference calls coordinated	20 conference calls held July 2004- June 2005	20 conference calls to be held July 2005-June 2006	20 conference calls to be held July 2006-June 2007
	To actively assist Riverfront Development Corporation with Federal initiatives as necessary	Number of contacts with Federal agencies or legislators	As needed basis	As needed basis	As needed basis

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Coordinate the City's legislative efforts in the Tennessee General Assembly	To work with each City Division to develop the current year State Legislative Agenda for the City of Memphis	Date agenda completed	January 2005	January 2006	January 2007
	To present and actively promote the State Legislative agenda to members of the Tennessee General Assembly	Date agenda presented	February 2005	February 2006	February 2007
	To provide regular communications to Division Directors concerning issues/bills of interest to the City	Number of weekly communication	12 updates	12 updates	12 updates
Work with other municipalities and government agencies to promote issues of concern to the City of Memphis	To represent the City of Memphis where appropriate to promote the City's Federal and State Legislative Agenda	Minimum number of contacts with other municipalities of government agencies	5	As needed basis	As needed basis
Maintain a system for a more focused and coordinated approach to grant applications	To maintain the database of grants currently received by generating an annual report	Annual report date	June 2005	June 2006	June 2007
	To maintain a prioritized list of ideas from which to determine pursuit of future grant opportunities	Date updated list completed	On-going	On-going	On-going
Coordinate efforts of the Memphis Renewal Community	To maintain all pertinent reports for the Department of Housing and Urban Development (HUD)	Tax Incentive Utilization Plan and Annual Report completed on schedule as required by HUD	Annual Report submitted on October 15, 2005	As required by HUD	As required by HUD
	To maintain a process for allocation of the Commercial Revitalization Deduction (CRD)	Date CRD allocated	December 31, 2004	December 31, 2005	December 31, 2006

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
	To coordinate meetings of the RC CORA Advisory Board	Date meetings held on a bi- annual basis	July 2004, December 2004 and February 2005	July 2005, December 2005 and February 2006	July 2006, December 2006 and February 2007
	To promote RC Incentives to businesses and professionals	Number of training sessions held	1 large workshop in May 2005 and 25 one- on-one sessions throughout the year	As needed, with a minimum of 2 large workshops and 20 one- on-one sessions	As needed, with a minimum of 2 large workshops and 20 one- on-one sessions

Risk Management minimizes the total cost of risk to the City of Memphis through sound risk management guidance to all operating divisions.

Operating Budget

	FY 2005	FY 2006	FY 2006	FY 2007
Category	Actual	Forecast	Budget	Projected
Personal services	116,115	114,103	114,084	114,941
Materials & supplies	3,052,353	3,113,642	3,115,400	3,115,100
Gross Expenditure	3,168,468	3,227,745	3,229,484	3,230,041
Expense Recoveries	(2,115,623)	(3,020,000)	(3,020,000)	(3,020,000)
Total Expenditures	1,052,845	207,745	209,484	210,041
Charges for Services	(635,880)	(715,547)	0	0
Net Expenditures	416,965	(507,802)	209,484	210,041
Funded Staffing Level	1.84	2.00	2.00	2.00

Goal	Objective	Performance Measure	Actual FY 2005	Estimated FY 2006	Proposed FY 2007
Minimize the impact of losses incurred by the City of Memphis	To coordinate and track loss control inspections for insured locations	Number of completed loss control inspections	Not Measured	4	10
Enhance professional development of Risk Management employees	To have each employee attend professional seminars and training classes	Number of seminars and classes attended	Not Measured	2	2
Ensure the City of Memphis is protected on all contracts	To assist all divisions with placing insurance requirements in contracts	Number of contracts that required Risk Management's review.	Not Measured	Benchmark	10
Ensure the City's insurance is adequately priced and all property is insured	To meet with the Engineering Division and property carrier concerning discrepancies for all divisions insuring newly constructed and renovated properties	Number of drawings and recommendatio ns reviewed	Not Measured	Benchmark	As needed basis

CITY ATTORNEY

Service Center/Position Title	Authorized Positions		horized ositions
City Attorney's Office		Risk Management	
ADMR LEGAL	1	ANALYST RISK MGMT	1
ANALYST CLAIMS	1	SUPER RISK MGMT	1
ASST ADMINISTRATIVE	1	Total Risk Management	<u>+</u>
ATTORNEY ASST CITY AA	8	Total Not management	_
ATTORNEY ASST HCD AA	1	TOTAL CITY ATTORNEY	E E
ATTORNEY CITY	1	TOTAL CITY ATTORNEY	<u>55</u>
ATTORNEY CITY ASST SR	6		
ATTORNEY CITY DEPUTY	1		
ATTORNEY PROSECUTOR AA	3		
ATTORNEY PROSECUTOR CHIEF	1		
ATTORNEY STAFF	5		
ATTORNEY STAFF SR	1		
COORDINATOR LEGAL ADMIN	1		
PARALEGAL	3		
PARALEGAL LEAD	1		
SECRETARY A	2		
SECRETARY LEGAL	1		
Total City Attorney's Office			
Claima			
<u>Claims</u> AGENT CLAIMS	4		
ANALYST CLAIMS	1 3		
COORD SAFETY	3 1		
COORDINATOR DRUG/TESTING	•		
INVESTIGATOR LEGAL	2		
SECRETARY APP B	1 1		
SUPER CLAIMS	·		
SUPERVISOR DRUGFREE WORK/	1		
SAFETY	1		
Total Claims	s <u>11</u>		
Contract Compliance			
OFFICER CONTRACT COMPLIANCE	1		
SECRETARY A	1		
Total Contract Compliance	e <u>'</u> 2		
Intergovernmental Relations			
ADMR GOVERNMENTAL REL	1		
COORD RENEWAL COMMUNITY	1		
Total Intergovernmental Relations	<u> </u>		



